

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

CLYDE MONTERO, et al.,

Plaintiff(s),

v.

KNIGHT TRANSPORTATION, INC., et al.,

Defendant(s).

Case No.: 2:19-cv-02119-RFB-NJK

Order

[Docket No. 45]

Pending before the Court is a stipulation for a third extension of deadlines, which was filed three weeks after the discovery cutoff. Docket No. 45.

A request to extend deadlines requires a showing of good cause, Local Rule 26-3, which turns on whether those deadlines cannot reasonably be met despite the diligence of the party or parties seeking the extension, *Johnson v. Mammoth Recreations, Inc.*, 975 F.2d 604, 609 (9th Cir. 1992). Requests to reopen already expired deadlines must be supported by an additional showing of excusable neglect. *E.g.*, Local Rule 26-3.

The instant stipulation seeks a reopening and a 75-day extension of the discovery cutoff to complete nine outstanding depositions. It is obvious that counsel were not diligent in scheduling these depositions and the stipulation essentially concedes as much. *See* Docket No. 45 at 7 (“the parties could have been more aggressive/insistent on scheduling these depositions earlier”). It is also obvious that the parties do not require 75 days to complete these depositions, as they have obtained deposition dates through January 28, 2021, *id.* at 5, and have assured the Court that there should be no need to continue these dates since the depositions will be conducted remotely, *id.* at 6. These are not exemplars of the circumstances that establish good cause or excusable neglect for the relief sought.

1 Nonetheless, given the joint nature of the request and in the interest of having the case
2 decided on its merits, the Court will provide a partial extension as a one-time courtesy to counsel.
3 The stipulation is **GRANTED** in part and **DENIED** in part, and deadlines are hereby **RESET** as
4 follows:

- 5 • Amend pleadings/ add parties: closed
- 6 • Initial experts: closed
- 7 • Rebuttal experts: closed
- 8 • Discovery cutoff: January 28, 2021
- 9 • Dispositive motions: March 1, 2021
- 10 • Joint proposed pretrial order: March 31, 2021, or 30 days after dispositive motions are
11 resolved

12 **NO FURTHER EXTENSIONS WILL BE GRANTED.**

13 IT IS SO ORDERED.

14 Dated: December 29, 2020

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18 Nancy J. Koppe
19 United States Magistrate Judge
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